



PATENT
U.S. Application No.: 10/614,859
Attorney Docket No. 29284/598

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Yasuo INOUE
SERIAL NO. : 10/614,859
FILED : 9 July 2003
FOR : EXTERNAL STORAGE SUBSYSTEM
GROUP: 2182
EXAMINER: Alan S. CHEN

COMMISSIONER FOR PATENTS
P. O. Box 1450
Alexandria, Virginia 22313-1450

**REQUEST FOR CONSIDERATION OF
PREVIOUSLY DISCLOSED INFORMATION**

SIR:

On July 9, 2003, Applicant filed an Information Disclosure Statement citing, *inter alia*, three foreign language references, including a journal reference. A Final Office Action was mailed in this application dated March 15, 2005. The Office Action indicates that the Information Disclosure Statement filed on July 9, 2003 failed to comply with 37 CFR 1.98(a)(2) because it does not include legible copies of each U.S. and foreign patent, and that US patent documents were considered, but other documents were not considered.

However, all of the documents listed on the IDS were of record in parent application 09/819,636, from which this application claims priority. Accordingly, no copies of these references need be submitted, and it is requested that these references be considered by the Examiner.

The following documents were not considered: 1) JP-63-225848; 2) EP-0-445-479;

PATENT
U.S. Application No.: 10/614,859
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and 3) "A Multiport Page-Memory Architecture and a Multiport Disk-Cache System, New Generation Computing 1 (1984) 241-260, Ohmsha, Ltd. And Springer-Verlag. It is requested that the Examiner return to Applicant an initialed copy of the attached PTO 1449 form so that the references will be listed on the face of the patent.

Should there be any questions concerning this matter, the Examiner is invited to contact Applicant's undersigned attorney.

Respectfully submitted,



David J. Zibelli
Reg. No. 36,394

Dated: June 15, 2005

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PTO/SB/08b(08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| | | | |
|--|---|-------------------------------|--------------|
| Substitute for form 1449B/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | <i>Application Number</i> | 10/614,859 |
| | | <i>Filing Date</i> | July 9, 2003 |
| | | <i>First Named Inventor</i> | Yasuo INOUE |
| | | <i>Art Unit</i> | 2182 |
| | | <i>Examiner Name</i> | Alan S. CHEN |
| Sheet | 1 | of | 1 |
| | | <i>Attorney Docket Number</i> | |
| | | 29284/598 | |

FOREIGN PATENT DOCUMENTS

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|---------------------|-----------------------|---|----------------|
| | | Partial Translation of Japanese Office Action No. 3-322965 dated April 1, 2003 and Japanese Office Action No. 3-322965 of April 1, 2003 | |
| | | A Multiport Page-Memory Architecture and a Multiport Disk-Cache System, New Generation Computing 2 (1984) 241-260, Ohmsha, Ltd. and Springer-Verlag | |
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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

compliance and no consideration. Include copy of this form and fax communication to applicant.
1 Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Yasuo INOUE
Group Art Unit: 2182
Application No.: 10/614,859
Examiner: Alan CHEN
Filed: July 9, 2003
Docket No.: 29284/598
For: EXTERNAL STORAGE SUBSYSTEM

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). The paragraphs marked below are applicable. It is believed that no fees other than those indicated below are due, but authorization is hereby given to charge any additional fees due, or to credit any overpayment, to deposit account 11-0600.

1. This Information Disclosure Statement is being filed (a) within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d), (b) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, (c) before the mailing date of a first Office Action on the merits in the present application, OR (d) before the mailing of a first office action after filing of a request for continued examination. No certification or fee is required.

2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a final action, Notice of Allowance, or any action that otherwise closes prosecution.

a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

c. Please debit Deposit Account No. 11-0600 in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 CFR §1.97(c)(2).

3. This Information Disclosure Statement is being filed after the mailing date of a final action, Notice of Allowance or an action that otherwise closes prosecution, but before payment of the Issue Fee. Applicant(s) hereby request(s) that the Information Disclosure Statement be considered. Please debit Deposit Account No. 11-0600 in the amount of \$180.00 in payment of the petition fee under 37 CFR §1.17(p) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.

a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

4. The references were cited in a counterpart foreign application. English language versions of the Official Action are attached for the Examiner's information.

Respectfully submitted,

KENYON & KENYON



David J. Zibelli
Registration No. 36,394

Date: June 15,2005

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|--|----|--------------------------|--------------|
| Substitute for form 1449A/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | Application Number | 10/614,859 |
| <i>(Use as many sheets as necessary)</i> | | Filing Date | July 9, 2003 |
| | | First Named Inventor | Yasuo INOUE |
| | | Art Unit | 2182 |
| | | Examiner Name | Alan CHEN |
| 5 Sheet | of | Attorney Docket Number | 29284/598 |

| NON PATENT LITERATURE DOCUMENTS | | |
|---------------------------------|-----------------------|---|
| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
| | | English Translation of Japanese Office Action No. 2003-156485, dated March 25, 2005 and Office Action of Japanese Patent Application No. 2003-156485 |
| | | English Translation of Japanese Office Action No. 2003-156486, dated March 25, 2005 and Office Action of Japanese Patent Application No. 2003-156486 |
| | | English Translation of Japanese Office Action No. 2003-189152, dated March 25, 2005 and Office Action of Japanese Patent Application No. 2003-189152 |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**



FORM PTO-1449
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT(S)

Sheet 1 of 2

Atty Docket No.: 29284/ 598
Serial No. :
Applicants : Y. INOUE
Filed :
Group Art Unit :
Examiner :

U.S. PATENT DOCUMENTS

| Examiner Initial | Patent Number | Patent Date | Name | Class/ Subclass | Filing Date |
|------------------|---------------|-------------|------------------|-----------------|-------------|
| ASL | 4,021,784 | 05/1977 | KIMLINGER | 395/550 | |
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| ASL | 4,467,414 | 08/21/84 | AKAGI et al. | 395/250 | |
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| ASL | 5,133,060 | 07/21/92 | WEBER et al. | 395/440 | |
| ASL | 5,142,627 | 8/1992 | ELLIOT et al. | 395/825 | |
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OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner Initial

1. A Multiport Page-Memory Architecture and a Multiport Disk-Cache System, New Generation Computing 2 (1984) 241-260, Ohmsha, Ltd. and Springer-Verlag.

DATE CONSIDERED

EXAMINER

Clare C. Lee

7/11/04

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT(S)

Atty Docket No. : 29284/598
 Serial No. :
 Inventors : Yasuo INOUE
 Filed : 9 July 2003
 Group Art Unit : 2182
 Examiner :

U.S. PATENT DOCUMENTS

| <u>Examiner Initial</u> | <u>Patent Number</u> | <u>Patent Date</u> | <u>Name</u> | <u>Class/ Subclass</u> | <u>Filing Date</u> |
|-------------------------|----------------------|--------------------|------------------|------------------------|--------------------|
| <u>ASL</u> | 4,430,701 | 02-1984 | CHRISTIAN et al. | 711/119 | |
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| <u>ASL</u> | 5,274,790 | 12-1993 | SUZUKI | 711/133 | |
| <u>ASL</u> | 5,325,488 | 06/28/94 | D. CARTEAU | 395/275 | |
| <u>ASL</u> | 5,530,941 | 06-1996 | WEISSER et al. | 711/151 | |
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| <u>Examiner Initial</u> | <u>Document Number</u> | <u>Date</u> | <u>Country</u> | <u>Class/ Subclass</u> | <u>Translation Yes</u> | <u>No</u> |
|-------------------------|------------------------|-------------|----------------|------------------------|------------------------|-----------|
| | 63-225848 | 09/20/88 | Japan | | ABS. | |
| | 445,479 | 07/26/95 | EPO | | | X |

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner Initial

1. Japanese Office Action of April 1, 2003 and partial translation.

EXAMINER

DATE CONSIDERED

Alan Glue

6/7/2003

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.